

Natick Select Board

Karen Adelman-Foster, Chair
Richard P. Jennett, Jr., Vice-Chair
Michael J. Hickey, Jr., Clerk
Susan G. Salamoff
Paul R. Joseph
PHONE 508-647-6410
EMAIL selectmen@natickma.org



LOCATED AT
Town Hall
13 East Central Street
Natick, Massachusetts
01760

January 3, 2022

VIA HAND DELIVERY

Officer James Quilty

Re: M.G.L. c. 30A, § 21(a)(1) Notice

Dear Officer Quilty:

For your information, the Natick Select Board ("Board") has scheduled an agenda item for a meeting to be held on January 5, 2022 to discuss the criminal charges that have been brought against you. The Select Board meeting begins at 6:30pm. This item is the third item under section 4 of the agenda.

Please be advised that the above-described discussion will occur in executive session in accordance with Purpose 1 of the Open Meeting Law, M.G.L. c. 30A, § 21(a)(1): "To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual." However, at your request, discussion of the complaint may be held in open session.

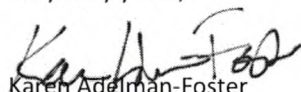
If the discussion occurs in executive session, you have the following rights:

- (1) to be present at the executive session during deliberations involving you;
- (2) to have counsel or a representative of your own choosing present and attending for the purpose of advising you and not for the purpose of active participation in the executive session;
- (3) to speak on your own behalf; and
- (4) to cause an independent record to be created of the executive session by audio-recording or transcription, at your expense.

See M.G.L. c. 30A, § 21(a)(1).

Thank you for your attention to this correspondence.

Very truly yours,


Karen Adelman-Foster
Chair

Redacted

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01760

Town of Natick • Select Board Office

January 14, 2022

VIA HAND DELIVERY

James Quilty

Dear Officer Quilty:

On December 23, 2021, you were indicted on three (3) counts of Indecent Assault and Battery on a Person over 14 years old in Middlesex Superior Court. On Wednesday, January 5, 2022, the Natick Select Board held a properly noticed executive session under M.G.L. c. 30A, § 21(a)(1) to consider the charges against you and potential disciplinary action. You were properly notified of the meeting and attended with Union representation.

Pursuant to a vote of the Natick Select Board at the meeting on January 5, 2022, you are hereby being placed on unpaid suspension effective at noon today pursuant to M.G.L. c. 268A, § 25 for the aforementioned indictments. A copy of M.G.L. c. 268A, § 25 is attached.

This suspension is not disciplinary. The Town of Natick reserves the right to take further disciplinary action, up to and including termination, based on the aforementioned misconduct and indictments, including, but not limited to, termination pursuant to M.G.L. c. 31, § 50.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Adelman-Foster".

Karen Adelman-Foster
Chair

Enclosure

cc: Natick Town Clerk
Chief James Hicks, Natick Police Department

Redacted

Massachusetts General Laws Annotated

Part IV. Crimes, Punishments and Proceedings in Criminal Cases (Ch. 263-280)

Title I. Crimes and Punishments (Ch. 263-274)

Chapter 268A. Conduct of Public Officials and Employees (Refs & Annos)

M.G.L.A. 268A § 25

§ 25. Suspension of persons under indictment for misconduct in office; notice;
compensation and fringe benefits; temporary replacements; reinstatement

Effective: July 1, 2004
Currentness

An officer or employee of a county, city, town or district, howsoever formed, including, but not limited to, regional school districts and regional planning districts, or of any department, board, commission or agency thereof may, during any period such officer or employee is under indictment for misconduct in such office or employment or for misconduct in any elective or appointive public office, trust or employment at any time held by him, be suspended by the appointing authority, whether or not such appointment was subject to approval in any manner. Notice of said suspension shall be given in writing and delivered in hand to said person or his attorney, or sent by registered mail to said person at his residence, his place of business, or the office or place of employment from which he is being suspended. Such notice so given and delivered or sent shall automatically suspend the authority of such person to perform the duties of his office or employment until he is notified in like manner that his suspension is removed. A copy of any such notice together with an affidavit of service shall be filed as follows: in the case of a county, with the clerk of the superior court of the county in which the officer or employee is employed; in the case of a city, with the city clerk; in the case of a town, with the town clerk; in the case of a regional school district, with the secretary of the regional school district; and in the case of all other districts, with the clerk of the district.

Any person so suspended shall not receive any compensation or salary during the period of suspension, nor shall the period of his suspension be counted in computing his sick leave or vacation benefits or seniority rights, nor shall any person who retires from service while under such suspension be entitled to any pension or retirement benefits, notwithstanding any contrary provisions of law, but all contributions paid by him into a retirement fund, if any, shall be returned to him, subject to section 15 of chapter 32. The employer of a person so suspended shall immediately notify the retirement system of which the person is a member of the suspension and shall notify the retirement board of the outcome of any charges brought against the individual.

A suspension under this section shall not, in any way, be used to prejudice the rights of the suspended person either civilly or criminally. During the period of any such suspension, the appointing authority may fill the position of the suspended officer or employee on a temporary basis, and the temporary officer or employee shall have all the powers and duties of the officer or employee suspended.

Any such temporary officer or employee who is appointed as a member of a board, commission or agency may be designated as chairman.

If the criminal proceedings against the person suspended are terminated without a finding or verdict of guilty on any of the charges on which he was indicted, his suspension shall be forthwith removed, and he shall receive all compensation or salary due him for the period of his suspension, and the time of his suspension shall count in determining sick leave, vacation, seniority and other rights, and shall be counted as creditable service for purposes of retirement.

Credits

Added by St.1972, c. 257. Amended by St.2004, c. 149, § 210, eff. July 1, 2004.

Notes of Decisions (31)

M.G.L.A. 268A § 25, MA ST 268A § 25

Current through Chapter 97 of the 2021 1st Annual Session

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